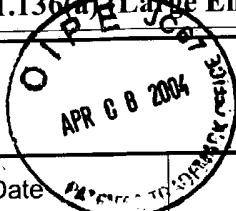


**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Large Entity)**

Docket No.  
41992-00499

**In Re Application Of: VELEZ ET AL.**



Serial No.  
09/921,019

Filing Date

Examiner

Group Art Unit  
1746

Invention: ELECTRICALLY HEATED THERMAL BATTERY

RECEIVED  
MAY 25 2004  
TC 1700

TO THE COMMISSIONER FOR PATENTS:

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of 10/8/03 in the above-identified application.

The requested extension is as follows (check time period desired):

One month       Two months       Three months       Four months       Five months

from: 1/8/04 *Date* until: 4/8/04 *Date*

The fee for the amendment and extension of time has been calculated as shown below:

**CLAIMS AS AMENDED**

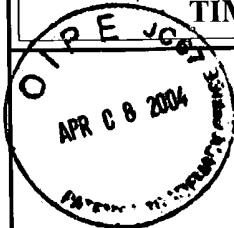
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	37 -	27 =	10	x \$18.00	\$180.00
INDEP. CLAIMS	4 -	3 =	1	x \$86.00	\$86.00
FEE FOR AMENDMENT					\$266.00
FEE FOR EXTENSION OF TIME					\$950.00
TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME					\$1,216.00

04/09/2004 HAL111 00000005 501216 09921019

01 F0:1253 950.00 DA

COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Large Entity)

Docket No.  
41992-00499



The fee for the amendment and extension of time is to be paid as follows:

A check in the amount of \$1,216.00 for the amendment and extension of time is enclosed.

Please charge Deposit Account No. 50-1216 in the amount of \$1,216.00

The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1216

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 CFR 1.17.

If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-1216

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MAY 25 2004  
TC 1700

Signature

JAMES L. JOHNSON  
REG. NO. 34,193  
MARSH FISCHMANN & BREYFOGLE LLP  
4151 SOUTH VAUGHN WAY, SUITE 411  
AURORA, CO 80014  
(701) 293-7680

Dated:

4/5/04

I certify that this document and fee is being deposited on 4/5/04 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

RUTH E. OSTGULEN

Typed or Printed Name of Person Mailing Correspondence

CC:



## PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

VELEZ ET AL.

Serial No.: 09/921,019

Filed: 8/2/01

Confirmation No.: 7768

Atty. File No.: 41992-00499

For: "ELECTRICALLY HEATED  
THERMAL BATTERY"

) Group Art Unit: 1746  
)  
)  
) Examiner: J. CREPEAU  
)  
)  
) AMENDMENT AND RESPONSE

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450 ON APRIL 5, 2004.

MARSH FISCHMANN & BREYFOGLE, LLP  
BY: Ruth E. Orlguber

5

Assistant Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

10 Dear Sir:

## INTRODUCTORY COMMENTS

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TC 1700

15 Applicant submits this Amendment and Response to address the comments provided by the Examiner in an Office Action having a mailing date of October 8, 2003. Enclosed herewith is a petition for a three-month extension of time, thereby extending the time period for response from January 8, 2004 to April 8, 2004. Please charge the fee for this extension (\$950.00), as well as the fee for the additional claims presented herein (\$266.00) to Deposit Account No. 50-1216.

Please amend the above-identified patent application in the manner set forth herein and in accordance with the amendment of 37 C.F.R. §1.121 that went into effect on July 30, 2003:

20

04/09/2004 HAL111 00000005 501216 09921019

02 FC:1201 86.00 DA  
03 FC:1202 180.00 DA